

113TH CONGRESS  
1ST SESSION

# S. 1324

To prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

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## IN THE SENATE OF THE UNITED STATES

JULY 18, 2013

Mr. BARRASSO (for himself, Mr. ENZI, Mr. RUBIO, Mr. ALEXANDER, Mr. PAUL, Mr. BLUNT, Mrs. FISCHER, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Energy Tax  
5 Repeal Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1           (1) on June 25, 2013, President Obama issued  
2 a Presidential memorandum directing the Adminis-  
3 trator of the Environmental Protection Agency to  
4 issue regulations relating to power sector carbon pol-  
5 lution standards for existing coal fired power plants;

6           (2) the issuance of that memorandum cir-  
7 cumvents Congress and the will of the people of the  
8 United States;

9           (3) any action to control emissions of green-  
10 house gases from existing coal fired power plants in  
11 the United States by mandating a national energy  
12 tax would devastate major sectors of the economy,  
13 cost thousands of jobs, and increase energy costs for  
14 low-income households, small businesses, and seniors  
15 on fixed income;

16           (4) joblessness increases the likelihood of hos-  
17 pital visits, illnesses, and premature deaths;

18           (5) according to testimony on June 15, 2011,  
19 before the Committee on Environment and Public  
20 Works of the Senate by Dr. Harvey Brenner of  
21 Johns Hopkins University, “The unemployment rate  
22 is well established as a risk factor for elevated illness  
23 and mortality rates in epidemiological studies per-  
24 formed since the early 1980s. In addition to influ-  
25 ences on mental disorder, suicide and alcohol abuse

1 and alcoholism, unemployment is also an important  
2 risk factor in cardiovascular disease and overall de-  
3 creases in life expectancy.”;

4 (6) according to the National Center for Health  
5 Statistics, “children in poor families were four times  
6 as likely to be in fair or poor health as children that  
7 were not poor”;

8 (7) any major decision that would cost the  
9 economy of the United States millions of dollars and  
10 lead to serious negative health effects for the people  
11 of the United States should be debated and explicitly  
12 authorized by Congress, not approved by a Presi-  
13 dential memorandum or regulations; and

14 (8) any policy adopted by Congress should  
15 make United States energy as clean as practicable,  
16 as quickly as practicable, without increasing the cost  
17 of energy for struggling families, seniors, low-income  
18 households, and small businesses.

19 (b) PURPOSES.—The purposes of this Act are—

20 (1) to ensure that—

21 (A) a national energy tax is not imposed  
22 on the economy of the United States; and

23 (B) struggling families, seniors, low-income  
24 households, and small businesses do not experi-

1           ence skyrocketing electricity bills and jobless-  
2           ness;

3           (2) to protect the people of the United States,  
4           particularly families, seniors, and children, from the  
5           serious negative health effects of joblessness;

6           (3) to allow sufficient time for Congress to de-  
7           velop and authorize an appropriate mechanism to  
8           address the energy needs of the United States and  
9           the potential challenges posed by severe weather;  
10          and

11          (4) to restore the legislative process and con-  
12          gressional authority over the energy policy of the  
13          United States.

14 **SEC. 3. PRESIDENTIAL MEMORANDUM.**

15          Notwithstanding any other provision of law, the head  
16          of a Federal agency shall not promulgate any regulation  
17          relating to power sector carbon pollution standards or any  
18          substantially similar regulation on or after June 25, 2013,  
19          unless that regulation is explicitly authorized by an Act  
20          of Congress.

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